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Attorneys for Plaintiff  
**PROTECTIVE OPTICS, INC.**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**PROTECTIVE OPTICS, INC.**, a California corporation,

Plaintiff,

V.

**PANOPTX, INC.**, a California corporation,

Defendant.

Case No. CV 05-02732 CRB

## STIPULATION AND ~~[PROPOSED]~~ ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE AND RELATED DATES

IT IS HEREBY STIPULATED THAT, by and between the parties to the above-referenced action, the date for the Case Management Conference shall be rescheduled from October 7, 2005 to December 9, 2005. This Stipulation is made so that the parties may finalize a settlement, which has been agreed to in principle, but has yet to be executed. In addition, because of the impending settlement, the Defendant has not yet been served with the Summons and Complaint. The parties hereto expect that a settlement agreement will be executed, and a dismissal filed, before December 9, 2005.

Therefore, the dates in this Court's Order Setting Initial Case Management Conference, filed July 7, 2005, shall be rescheduled as follows:

<u>Current Date</u>	<u>New Date</u>	<u>Event</u>
9/16/2005	11/18/2005	Rule 26(f) Meeting; File Joint ADR Certification
9/30/2005	12/2/2005	File Case Mgmt. Statement and Rule 26(f) Report
10/7/2005	12/9/2005	Case Management Conference

IT IS SO STIPULATED.

Respectfully submitted,

Dated: October 4, 2005

**FOLEY & LARDNER LLP**

/s/ Stephen M. Lobbin

Stephen M. Lobbin

Attorneys for Plaintiff

**PROTECTIVE OPTICS, INC.**

Dated: October 4, 2005

/s/ Robert Hall

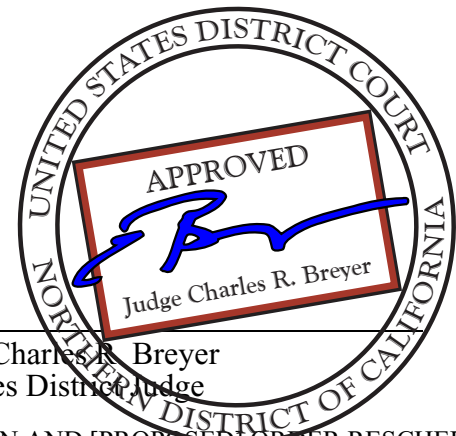
Robert Hall for Defendant **PANOPTX, INC.**

**ORDER**

IT IS SO ORDERED.

Dated: October 7, 2005

Honorable Charles R. Breyer  
United States District Judge



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